THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.202 of 2006

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DATED: 23-01-2006

Between:

A.Shanmugam Chetty . . .Petitioner

And

The Commissioner of B.C. Welfare, AP, Hyderabad

and others . . .Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

–

WRIT PETITION No.202 of 2006

O R D E R:

The petitioner is the owner of a building situated at Satyavedu Village and Mandal of Chittoor District. It was taken on lease by the Social Welfare Department for running B.C. Girls Hostel. Through proceedings, dated 24-12-2005, the fourth respondent informed the petitioner that they have procured another vacant building owned by Smt. Rosamma, the sixth respondent herein, and that they intend to shift the hostel to the said building. The petitioner challenges the same.

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

It is not in dispute that the petitioner is the lessor and the fourth respondent is the lessee of the building in question. Basically, these relations are to be governed by the provisions of the Transfer of Property Act. This Court cannot embark any adjudication into such aspects.

The petitioner states that the action of the fourth respondent is mala fide and is vitiated on account of the influence wielded by the son-in-law of the sixth respondent. It is difficult for this Court to delve into such aspects as long as the relationship of the petitioner with the fourth respondent was nothing beyond that of a lessor and lessee.

As regards the plea of the petitioner that the building owned by the sixth respondent is not adequate and does not have the requisite facilities, it shall always be open to him to make a representation to respondents 2 and 4. If he files any representation, necessary action can certainly be taken.

Learned Government Pleader for Social Welfare states that the hostel

has already been shifted on 15-01-2006.

For the foregoing reasons, the writ petition is disposed of, leaving it open to the petitioner to make a representation to respondents 2 and 4. There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

23rd JANUARY, 2006.

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